

Update to the Regulatory Impact Statement

K.A.R. 28-19-712 through K.A.R. 28-19-712d

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June 3, 2010

Overview of Update

The Regulatory Impact Statement (RIS), dated September 11, 2009, was filed in advance of the public comment period for the proposed Kansas Administrative Regulations (K.A.R.) 28-19-712 through K.A.R. 28-19-712d and K.A.R. 28-19-713 through K.A.R. 28-19-713d. On March 12, 2010, the Bureau of Air at the Kansas Department of Health and Environment (KDHE) received a letter from AGC Flat Glass North America, Inc. (AGC), dated March 11, 2010, regarding K.A.R. 28-19-713 through K.A.R. 28-19-713d. As this letter was received 99 days after closure of the public comment period, it was not admitted into the public comment record. However, the letter did assert cost estimate inaccuracies in the RIS for NO_x control technologies at AGC's Spring Hill facility. The purpose of this update is to include cost estimates for the NO_x control technologies provided in the letter from AGC, and to address two minor corrections/clarifications on dates used in the original RIS.

Cost Estimates for NO_x Control Technologies at AGC's Spring Hill facility

The RIS lists three potential control options for AGC's Spring Hill facility. In its letter dated March 11, 2010, AGC provided cost estimates, which are summarized in the table below, along with the cost estimates as originally published in the RIS.

Technology	Capital Cost Estimate
RIS	
Low NO _x burners	\$1,351,763
SNCR	\$1,558,915
Oxy-firing	\$9,568,763
AGC letter	
Low NO _x burners	estimate not provided
SNCR	\$7-8 million
Oxy-firing	\$40+ million
SCR	\$6-7 million

Clarification of Date of Approval of the Kansas City 8-Hour Maintenance Plan

In the second paragraph on page 3 of the RIS, a statement was made that the Kansas City 8-Hour Ozone Maintenance Plan was approved by EPA on October 9, 2007. To avoid any potential confusion, KDHE wishes to clarify that the EPA published its approval of the Kansas City 8-Hour Maintenance Plan on August 9, 2007, which then became effective on October 9, 2007.

Correction of Date of Violation of the 8-hour Ozone Standard in Kansas City

In the second paragraph on page 4 of the RIS, a statement was made that the quality-assured violation of the 8-hour ozone National Ambient Air Quality Standards in Kansas City occurred on August 9, 2007. However, the quality-assured violation actually occurred in June 2007. The date of the letter by which the Missouri Department of Natural Resources notified the EPA of this violation was dated August 9, 2007.